(3) of 2003

IN THE HIGH COURT OF JUDICATURE OF CHHATTISGARH

AT BILASPUR

W.P. NO. 2087/2003

PETITIONERS : 1. M/S. SHIVAM BUILDERS,
THROUGH ITS PROPRIETOR
MR. RAJENDRA PRASAD MISHRA,
MAITRI KUNJ RISALI, BHILAI (C.G.)

2. RAJENDRA PRASAD MISHRA
S/O BRIJ BHUSAN MISHRA
AGED ABOUT 40 YEARS
MAITRI KUNJ RISALI, BHILAI (C.G.)

P. R. No. 1950/03
Presented by Shri Manoj Namdeo
dated 15.07.03

VERSUS

RESPONENTS : 1. UNION OF INDIA
THROUGH THE SECRETARY,
MINISTRY OF LAW,
JUSTICE AND COMPANY AFFAIRS AND
ALSO, THROUGH THE SECRETARY,
MINISTRY OF FINANCE, NEW DELHI

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2. STATE BANK OF INDIA,
A BANKING COMPANY RELEVANT
PROVISIONS OF STATE BANK OF INDIA
ACT, 1955, HAVING ITS INTERALIA
AMONGST OFFICES A COMMERCIAL
BRANCH AT RAVIBHAWAN,
JAISTAMBH CHOWK, RAIPUR.

शपथ आयुक्त

WRIT PETITION UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA FOR THE ISSUANCE OF WRITS IN THE NATURE OFMANDAMUS, CERTIORARIAND/OR ORDER(S), AND/OR DIRECTION(S) IN THE NATURE OF WRITS

XI-HC-22

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

W-P 2087

मामला क्रमांक ..... सन् 2003

..... विरुद्ध .....

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	DIVISION BENCH: **HON'BLE SHRI A.S.VENKATACHALA MOORTHY, CJ** **& HON'BLE SHRI FAKHRUDDIN, J.** **29/06/2004**: - Shri Manoj Paranjape counsel for the petitioners. Shri Vinay Harit, Sr. Standing Counsel for the Union of India, for respondent No.1. Shri Shailendra Shukla counsel for the respondent No.2. Following the decision of the Supreme Court in the matter of **Mardia Chemical Ltd. Vs. Union of India (2004 AIR SCW 2541)**, the writ petition stands dismissed. However, it is made clear that where a secured creditor has taken action under Section 13(4) of the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 in such cases it would be open to borrowers to file appeals under Section 17 of the Act within the limitation as prescribed therefor, to be counted with effect from today. **Sd/-** **Chief Justice** **Sd/-** **Fakhruddin** **Judge**	

[पीछे देखिये